

Introduced by Senator Alquist

February 22, 2006

An act to amend Section 22871.5 of, and to add Section 22754.11 to, the Government Code, and to add Section 328 to the Military and Veterans Code, relating to military benefits, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1445, as introduced, Alquist. Military benefits: health care benefits.

The Public Employees' Medical and Hospital Care Act authorizes the Board of Administration of the Public Employees' Retirement System to provide health benefits to state and local public employees and annuitants and their family members. Employer and employee contributions for health care benefits and administrative costs under the act are deposited into one of 2 continuously appropriated special funds.

This bill would include qualifying members of the California National Guard in the definition of "employee" for the purposes of that act. By increasing the contributions to a continuously appropriated special fund, the bill would make an appropriation.

Existing law specifies the pay and allowances for members of the California National Guard. Existing law provides that officers, warrant officers, and enlisted men and women on active duty in the service of the state are eligible for health care benefits 30 days after being called to active duty.

This bill would provide that as of January 1, 2007, for the 2006–07 fiscal year and each fiscal year thereafter, qualifying members of the California National Guard shall be eligible for the same health and

dental care benefits that are provided to personnel serving on active duty in the service of the state.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22754.11 is added to the Government
2 Code, to read:

3 22754.11. (a) In addition to subdivision (b) of Section 22754,
4 as used in this part, “employee” also means any qualifying
5 member of the California National Guard, as provided by Section
6 328 of the Military and Veterans Code.

7 (b) “Employer,” with respect to any qualifying member of the
8 California National Guard enrolled in a health benefit plan, shall
9 mean the state.

10 SEC. 2. Section 22871.5 of the Government Code is amended
11 to read:

12 22871.5. (a) Notwithstanding Section 22871, the employer
13 contribution with respect to each excluded employee, as defined
14 by subdivision (b) of Section 3527, *or each employee as defined*
15 *by Section 22754.11*, who is otherwise eligible shall be
16 determined by the Department of Personnel Administration
17 subject to the appropriation of funds by the Legislature.

18 (b) Notwithstanding Section 22871, the employer contribution
19 with respect to each state employee, as defined by subdivision (c)
20 of Section 3513, who is otherwise eligible shall be determined
21 through the collective bargaining process subject to the
22 appropriation of funds by the Legislature.

23 SEC. 3. Section 328 is added to the Military and Veterans
24 Code, to read:

25 328. (a) “Qualifying member,” for purposes of this section,
26 means a person who meets each of the following:

27 (1) Is an active member of the California National Guard who
28 has maintained satisfactory attendance, as defined by the Military
29 Department, for a least the previous 12 months.

30 (2) Maintains satisfactory service, as defined by the Military
31 Department, throughout the period in which benefits are
32 provided.

1 (3) Is not currently on orders exceeding 29 days to perform
2 active duty special work, full-time National Guard duty, or state
3 active duty as defined by Titles 10 and 32 of the United States
4 Code and this code.

5 (4) Has a current physical examination in accordance with the
6 appropriate military regulations or policies that indicate the
7 person is qualified for accession or retention in his or her branch
8 of military service or appropriate state military department.

9 (5) Is not covered by any other health or dental care program
10 directly, or as a spouse or dependent.

11 (b) Commencing on January 1, 2007, for the 2006–07 fiscal
12 year and each fiscal year thereafter, qualifying members of the
13 California National Guard shall be eligible for health care
14 benefits provided pursuant to Part 5 (commencing with Section
15 22751) of Division 5 of Title 2 of the Government Code and
16 dental care benefits provided pursuant to Part 6 (commencing
17 with Section 22950) of Division 5 of Title 2 of the Government
18 Code.

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